

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2642 of 2025

Arising Out of PS. Case No.-21 Year-2024 Thana- Haraiya District- East Champaran

1. Chhabela Kumar S/o Jawahar Sahani Resident of village- Karmawas, Karmawa, P.S.- Majahauliya, District- West Champaran
2. Rangila Kumar S/o Jawahar Sahani Resident of village- Karmawas, Karmawa, P.S.- Majahauliya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 27-01-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Haraiya PS Case No. 21 of 2024 instituted for the offences under Sections 318(4), 338, 336(3), 340(2) and 61(3) of the B.N.S. and 30(a), 41(1), 31, 33, 38, 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 4000 litres of spirit was recovered from go-down.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have



got no concern with the alleged recovery of liquor. It is submitted that other co-accused disclosed the name of the petitioner. It is further submitted that go-down in question does not belong to the petitioners. The petitioners are in custody since 26.10.2024 and have got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioners and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Haraiya PS Case No. 21 of 2024.

Rudra Prakash Mishra, J)

Raj Ranjan/-

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